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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/623,380 | 07/18/2003 | Richard Allirot | B-4109DIV 621012-4 | 3187 |

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

| EXAMINER | |
|---|---|
| EDWARDS, ANTHONY Q | |
| **ART UNIT** | **PAPER NUMBER** |
| 2835 | |

DATE MAILED: 03/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/623,380 | ALLIROT, RICHARD | |
| | Examiner | Art Unit | |
| | Anthony Q. Edwards | 2835 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *18 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7-18-2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Objections*

Claims 6 and 13-18 are objected to because of the following informalities: regarding claims 6 and 13, "the end of the unit remote from said first end" lacks proper antecedent basis. The Examiner notes that there is a "first axis" recited in claims 5 and 13, but no "first end." Claims 14-18 depend from claim 13 and are objected to for at least the same reasons. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,487,081 to Homer et al. (hereafter "Homer") in view of U.S. Patent No. 6,556,431 to Ozias et al. (hereafter "Ozias"). Referring to claims 1 and 11, Homer discloses a desktop personal computer appliance (see col. 1, lines 48-50 and col. 3, lines 54-57, which specifically disclose the device applied to "desktop computers") for use with external user input and display devices, the appliance comprising: a displayless and keyboardless system unit (i.e., desktop computer) having a sealed housing (100) inherently comprising main processing functionality for executing application programs and at least a DC-DC converter connected to receive DC power from an external socket (not shown) provided in the housing, the housing

inherently provided with external connectors for connection to said external user input and display devices. Homer also discloses a removable data storage device (200) for storing user data associated with said application programs and a user-specific software image containing said application programs, the housing (100) having a recessed portion (400) for receiving the removable data storage device (200) and a movable closure member (not shown, see col. 6, lines 61-62) for enclosing the recessed portion.

Homer lacks the computer appliance having an external power supply having a flying lead connectable to the external socket for supplying DC power to the external pocket (*sic*).

Ozias teaches providing a desktop computer appliance (see Fig.) with an external power supply/adapter (12) having a flying lead (22) connectable to the external socket of Homer for supplying DC power to the external socket. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the desktop computer appliance of Homer with an external power supply having a flying lead, as taught by Ozias, since the device of Ozias would allow for more efficient use of space within the housing of Homer. Likewise, because the device of Ozias is located outside of the housing, it would also reduce the amount of shielding needed in the housing for the power supply/adapter of Homer.

Referring to claim 2, Homer in view of Ozias inherently discloses a desktop personal computer appliance, wherein the software image includes an operating system.

Referring to claim 12, Homer in view of Ozias discloses a desktop personal computer appliance as claimed, except for the removable data storage device having a memory greater than the memory of the system unit. Official Notice is taken that it is well known and conventional in the art of personal computers to have a greater amount of memory in the removable data storage

device than in the system unit. It would have obvious to one of ordinary skill in the art at the time the invention was made to have a greater amount of memory in the removable data storage device than in the system unit, in order to keep the initial costs of system at a minimum.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Homer in view of Ozias, and further in view of U.S. Patent No. 4,898,009 to Lakoski et al. (hereafter "Lakoski"). Homer, as modified, discloses the invention as claimed, except for an arrangement for securing a flying lead to an external socket, which includes a cable shroud that is movable to and from a closed position, thereby avoiding accidental disconnection. Lakoski discloses a cable shroud, i.e., a protective cover (30) for a personal computer to cover cabling and cable connectors. The cover (30) is movable to and from a closed position, wherein the closed position prevents removal of a flying lead connected to a socket, and a lock mechanism for locking the protective cover in a closed position. Lakoski (see FIG. 1) also discloses a back panel (14) of a computer (10) having communication ports (22), as well as power and keyboard ports (24). The power port (24) would, of course, receive a suitable power cord, which would pass through one of the cable passages (34) in a manner that avoids disconnection from the socket. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the appliance of Homer to include an arrangement for securing a flying lead, in the form of a lockable protective cover, as taught by Lakoski, to avoid accidental disconnection of the flying lead from an external socket.

Claims 5-10, 13, 14, 17-20, 23-26, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Homer in view of Ozias, and further in view of U.S. Patent No. 4,937,806 to Babson et al. (hereafter "Babson"). Referring to claims 5, 7, 8, 19, 25 and 29,

Homer in view of Ozias disclose the invention as claimed, including a mounting arrangement (410) for the removable data storage device (200), the mounting arrangement comprising retaining pockets (412/414) on opppositely facing inner walls (402) of the recessed portion (400) for receiving mounting studs (370) extending laterally from the removable data storage (200), the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess. See Figs. 2, 3A and 3B of Homer and the corresponding specification. Homer in view of Ozias lacks a handle mounted on the unit (200) so as to be (1) rotatable about an axis parallel to the first axis, (2) in the closed position, (note: "closed position" lacks proper antecedent basis) the handle lies flush with a surface of the removable unit that is parallel to and facing the opening of the recessed portion, and (3) the handle is substantially U-shaped with side arms pivotally mounted on respective opposing sides of the unit.

Babson discloses a handle (29) mounted on a removable data storage device or unit (18) so as to be (1) rotatable about an axis parallel to the first axis, (2) in a closed position the handle lies flush with a surface of the removable unit that is parallel to and facing the opening of the recessed portion, and (3) the handle is substantially U-shaped with side arms pivotally mounted on respective opposing sides of the unit (see Figs. 2 and 3).

Referring to claims 10, 18, 24 and 30, Homer in view of Ozias disclose the invention as claimed, including the removable unit (200) comprising a mounting tray (300) for a standard form factor disk drive (see Fig. 1 and the corresponding specification). Homer in view of Ozias does not disclose the mounting tray being shock mounted. Babson et al. disclose a shock isolated portable mass data storage device (10) having elastomeric members (62) mounted on its

housing (18). The device includes a mounting tray, i.e., canister housing (18) for shock isolation of a standard form factor disk drive (16).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the appliance of Homer to include a shock mount data storage tray with a rotatable, U-shaped handle, as taught by Babson et al., to allow for easy removal of the data storage device while minimizing the loss of data when the storage is removed.

Referring to claim 6, as best understood by the Examiner, Homer as modified, and further in view of Babson disclose the invention as claimed, wherein the end of the unit remote from said first end comprises a connector (330) positioned to enable a flying lead to be manually connected thereto with the studs (370) engaged in the pockets (412/414) and the unit not fully pivoted into the operational position. See Figs. 1, 3A and 5 and the corresponding specification.

Referring to claims 9, 17 and 23, Homer as modified, and further in view of Babson, disclose the invention as claimed, wherein the housing comprises a movable closure member (not shown, see col. 6, lines 61-62) for enclosing the recessed portion. Official Notice is taken that it is well known and conventional in the art of personal computers to have a "sliding closure" a means to cover recesses in a housing. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a sliding cover on the housing of Homer in view of Ozias, since the sliding cover would allow for retaining and removing of data storage device in a durable and simple manner.

Referring to claim 13, Homer as modified, and further in view of Babson, disclose the invention as claimed, including a mounting arrangement comprising retaining pockets (412/414)

on opppositely facing inner walls (402) of the recessed portion (400) for receiving mounting studs (370) extending laterally from the removable data storage (200), the pockets and studs, once engaged, enabling the unit to pivot about a first axis into an operational position within the recess, wherein the end of the unit remote from said first end comprises a connector (330) positioned to enable a flying lead to be manually connected thereto with the studs (370) engaged in the pockets (412/414) and the unit not fully pivoted into the operational position. See Figs. 1, 2, 3A, 3B and 5 of Homer and the corresponding specification.

Referring to claims 14, 20 and 26, Homer as modified, and further in view of Babson, inherently discloses a desktop personal computer appliance, wherein the software image includes an operating system.

Claims 15, 16, 21, 22, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Homer in view of Ozias, in view Babson and further in view of Lakoski, wherein an arrangement is provided for securing the flying to its external socket, which includes a cable shroud movable to and from a closed position and a lock mechanism to avoid accidental disconnection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patent Nos. 6,618,245 to Diaz; 6,601,179 to Jackson et al.; 6,374,328 to Rhinehart; 6,185,103 to Yamada; 6,064,567 to Cheng; and 5,673,174 to Hamirani.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Q. Edwards whose telephone number is 571-272-2042. The examiner can normally be reached on M-F (7:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 23, 2004
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